

December 15, 2021

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**BY: \_\_\_\_\_ **JU**  
DEPUTY*IN RE: CAPTURERX DATA BREACH LITIGATION*Civil No. SA-21-CV-00523-OLG  
(Lead Case)Civil No. SA-21-CV-00536-OLG  
(Member Case)Civil No. SA-21-CV-00692-OLG  
(Member Case)Civil No. SA-21-CV-01102-OLG  
(Member Case)Civil No. SA-21-CV-00979-OLG  
(Member Case)

This Document Relates To:

ALL ACTIONS

ANGELICA MENDOZA,

*Plaintiff,*

v.

NEC NETWORKS, LLC D/B/A CAPTUR-  
ERX, RITE AID CORPORATION, COM-  
MUNITY HEALTH CENTERS OF THE  
CENTRAL COAST, INC.,*Defendants.*Civil No. SA-21-CV-01232-OLG  
(Member Case)**ORDER**

On this day, the Court considered the status of Case No. 5:21-CV-1232 (the “*Mendoza* Case”). The *Mendoza* Case was transferred to this Court from the Northern District of California in part because “a settlement has been achieved in principle” in certain cases pending in this Court, “which will resolve the claims asserted” in the *Mendoza* Case. *See* Dkt. No. 25. Upon review of the docket, the Court has determined that the *Mendoza* Case is related to previously filed cases

that were consolidated into *In re: CaptureRX Data Breach Litigation*, Master File No. 5:21-CV-523 (the “Consolidated Action”). In the order consolidating the cases, the Court stated an intent to consolidate for pretrial purposes “[a]ny action subsequently filed in, transferred to, or removed to this Court that arises out of the same or similar operative facts as the Consolidated Action.” *See* Consolidated Action Dkt. No. 13 (the “Consolidation Order”). Here, the Court finds that the *Mendoza* Case arises out of the same or similar operative facts as the cases in the Consolidated Action and should be consolidated to ensure consistent and efficient adjudications in this Court.

Accordingly, it is **ORDERED** that the *Mendoza* Case (5:21-CV-1232) currently pending in this District shall be consolidated for pre-trial purposes into the Consolidated Action (Master File No. 5:21-CV-523) before this Court, pursuant to Federal Rule of Civil Procedure 42(a).

It is **FURTHER ORDERED** that pursuant to the Consolidation Order, the Clerk of the Court shall:

1. Place a copy of the Consolidation Order in the separate file for the *Mendoza* Case;
2. Serve on counsel a copy of the Consolidation Order; and
3. Make appropriate entry in the Master Docket.

It is **FINALLY ORDERED** that the *Mendoza* Case (5:21-CV-1232) shall be administratively **CLOSED** and all papers filed in the Consolidated Action shall be filed under Case No. 5:21-CV-523, the Lead Case. The Clerk of the Court is directed to administratively close the *Mendoza* Case (5:21-CV-1232) upon entry of this Order.

It is so **ORDERED**.

**SIGNED** this 15th day of December, 2021.



ORLANDO L. GARCIA  
Chief United States District Judge